

From: Michael Favor
To: Microsoft ATR
Date: 1/25/02 3:10pm
Subject: Tunney comments from one software developer

I appreciate the opportunity to comment. I will be as brief as possible, and I hope my comments will be taken seriously.

The proposed remedy recognizes that if Microsoft can keep part of the API secret, it has an unfair advantage over competitive Windows applications, but the proposed remedy seems to limit the use of the API information by developers of competitive operating systems. If Microsoft is required to compete for the operating system market as well as the applications software market, information about the API must be available for use by developers of other operating systems as well as developers of application software. The limiting language in the proposed remedy may seem harmless, but this is a very important point.

Next, if Microsoft is allowed to develop proprietary protocols for network applications like email or web pages, Windows would be required in order to use those applications. In order to allow other application and operating system developers to compete fairly against the monopoly, these network protocols must also be published, similar to the API information.

Lastly, the file formats used by Microsoft applications such as the Office software are the logical "interface" between those programs, similar to the Windows API and network protocols. To the extent that these file formats are kept secret, they directly hinder the development of competitive and compatible software for Windows and competitive operating systems.

I believe that each of these points is critical to the effectiveness of the proposed remedy, and that each one must be addressed in order to prevent Microsoft from directly impeding the development of competitive and compatible software, and extending a monopoly that has been built based on unfair competition. Thank you for considering my comments.

Sincerely,
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